ADMINISTRATIVE INVESTIGATION **#2117822**

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[redacted]

Case Number: IV2117822
Subject: Marco Parra, [redacted] Deputy Sheriff
Assignment: Industry Station
Investigator: Lieutenant Mark Relyea

CASE SUMMARY

On April 27, 2004, at 1953 hours, [redacted] of Subject Marco Parra, contacted the La Habra Police Department to report that her [redacted], was physically abused during a visitation with his [redacted] Subject Marco Parra. [redacted] complained that he was struck several times by Subject Marco Parra in the buttocks and legs with a belt when he refused to do his homework. [redacted] also alleged that he was struck on the buttocks with an open hand and thrown against a wall after he bit Subject Parra's hand. This incident resulted in significant bruising and injury to the buttocks and hip areas of [redacted]. Photographs were taken by La Habra Police Officers and a crime report was generated listing Subject Parra as a suspect of Child Abuse, 273a (a) P.C.

This incident generated two separate reports: a La Habra Police report and a report by the County of Orange Children and Family Services. In these reports, [redacted] says that he refused to do his math homework, and he argued with his [redacted] Subject Marco Parra, because he did not have lined paper. Because he continued to argue and yell back at [redacted] Subject Parra removed his belt and grabbed his [redacted] who was sitting in a chair and began striking his [redacted] with the belt. [redacted] was wearing blue-jean shorts and a t-shirt, and was struck primarily in the the buttocks area.

[redacted] was also being held by his wrist when he broke free of Subject Parra's grasp and ran into a bedroom. However, Subject Parra ran after him and continued to strike him with the belt in the buttocks area. [redacted] then attempted to run into the bathroom and lock himself inside. Subject Parra got a key, opened the door, and struck [redacted] a few more times before grabbing him. [redacted] then bit Subject Parra's left hand, causing him to let go momentarily. Subject Parra picked his [redacted] up by the shirt and threw him, causing [redacted] to strike the bathroom wall with his back. [redacted] then ran back into the living room and tried to hide between two chairs. Subject Parra continued to chase him and strike him with a belt and his open hand. When he was through, Subject Parra called his [redacted] and had her pick up the children.

[redacted] who is Subject Marco Parra's [redacted], witnessed this event. She told the Children and Family Services investigator that her dad hit her [redacted] hard numerous times with a belt and his hands.

Criminal charges were filled against Subject Marco Parra in Orange County Superior Court for Child Abuse 273a (a) P.C. On July 29, 2005, the case was dismissed based on a stipulation between the District Attorney's Office and Subject Parra's defense attorney after Subject Parra completed 52 weeks of anger management training and made payment to the Victim/Witness fund of $500.00.

Note: La Habra Police Department was contacted in an attempt to determine if Subject Parra was interviewed by a detective. La Habra Police Department documented slight bruising of [redacted] wrist in the police report. They did not contact Subject Parra; therefore, there was no observation to any potential injuries he may have had at the time. It was learned that the case was submitted to the Orange County District Attorney's Office based on the initial report with very little follow-up investigation and no interview of Subject Parra.

On November 4, 2005, Subject Parra was interviewed about this incident. Subject Parra denied striking [redacted] with a belt. He stated that he struck [redacted] three times in the buttocks area with an open hand. Subject Parra said that he did take his belt off and struck a chair with it to get [redacted] attention. Throughout the interview, Subject Parra was adamant that he struck [redacted] only three times with an open hand.

Responding officers from the La Habra Police Department took digital photographs of [redacted] injuries during their investigation a few hours after the event. The photographs were reviewed by Sergeant Daniel Scott, [redacted] Family Crimes Bureau, who has 17 years of experience investigating child abuse. Sergeant Scott looked at the pictures and pointed out several linear bruises, inflicted with what he believed to be a belt or strap-type device that was flexible in nature, allowing the device to wrap around the leg and hip. Sergeant Scott stated that he believed the child was struck multiple times with velocity, allowing for the numerous bruises through the clothing. Sergeant Scott estimated that the child was hit with a minimum of five to ten significant strikes to inflict that type of bruising.

The photographs were also reviewed by Dr. Astrid Heppenstall Heger, M.D. who is the Executive Director, Violence Intervention Program, LAC+USC Medical Center and a recognized expert in evaluation of injuries to children. Dr. Heger stated that in her opinion, the child was struck with a belt or a strap which had a belt buckle attached.

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Note: This incident occurred on April 27, 2004, with the Orange County District Attorney's Office filing misdemeanor charges on April 29, 2004. Subject Parra brought this incident to the Department's attention on May 5, 2004, in a memorandum to Captain Smith.

DISPOSITION OF CHARGES

Potential Charge #1

That in violation of the Manual of the Policy and Procedures, Section(s) 3-01/030.05, General Behavior, and/or 3-01/030.16, Family Violence, and/or 3-01/030.10, Obedience to Laws, Regulations, and Orders, on or about April 27, 2004, around 1900 hours, Subject Parra brought discredit upon himself and/or the Department when he struck [redacted], inflicting corporal injury as described in Penal Code section 273a (a), causing La Habra Police Department to initiate a child abuse investigation.

Evidence Reference

La Habra Police Incident Report & Photographs #04-3046
Orange County Superior Court-Fullerton-Minute Order Case 04NM06856
Children and Family Services Report

Disposition

- ✓ Charge founded as delineated
- ___ Charge founded as modified
- ___ Charge unresolved
- ___ Charge unfounded

Potential Charge #2

That in violation of the Manual of Policy and Procedures Section(s) 3-01/040.75, Making False Statements During an Internal Investigation, and/or 3-01/040.70, False Statements, on or about November 4, 2005, on or about 1335 hours, Subject Parra was untruthful when he denied striking [redacted] with anything other than his open hand on April 27, 2004, during his administrative interview, and/or when he claimed he only struck [redacted] three times with an open hand on April 27, 2004 during the same administrative interview.

Evidence Reference

DEPUTY MARCO PARRA
CASE NO. IV 2117822

La Habra Police Incident Report & Photographs #04-3046
Orange County Superior Court-Fullerton-Filing and Minute Order Case 04NM06856
Children and Family Services Report
Letter-Astrid Heger, M.D.
Memorandum -Scott

Disposition

✓ Charge founded as delineated
______ Charge founded as modified
______ Charge unresolved
______ Charge unfounded

REVIEW OF APPLICABLE "GUIDELINES FOR DISCIPLINE"

The Department's "Guidelines for Discipline" lists the following analogous misconduct with associated disciplinary penalties:

Failure to follow instruction/orders.	1 - 5 Days Suspension	
Untruthful or misleading statements during internal investigations.	15 - 25 Days Suspension	See Note # 1
Conduct which causes embarrassment to the Department.	----------	See Note # 4
Domestic violence.	5 - 10 Days Suspension	
Assaultive behavior.	3 - 7 Days Suspension	

Note 1 - As noted elsewhere in these Guidelines, discipline is expected to be within the standard range in most cases. In the event circumstances warrant a downward adjustment to a penalty less than the standard range, the indicated offenses may not be reduced below a five (5) day suspension.

Note 4 - The standard discipline for this section can range from a written reprimand to discharge, based on an evaluation of the totality of the circumstances.

ASSESSMENT OF MITIGATING AND AGGRAVATING FACTORS

Severity of Infraction

On April 27, 2004, Deputy Parra's assaultive behavior towards [redacted] was harsh and brutal, causing a misdemeanor complaint for 273a (a) P.C., to be lodged against him by the Orange County District Attorney's Office. This incident caused considerable embarrassment to himself and the Department.

Intent, truthfulness, and Acceptance of Responsibility

Subject Parra was interviewed on November 4, 2005. He presented his version of the facts. In his interview, he stated that he voluntarily began anger management courses; however, he never admitted being at fault in this incident. Subject Parra was asked specifically during this investigation if he struck [redacted] with a belt or a strap, which he denied. Instead, he claimed he struck [redacted] three times with an open hand. Photographs of [redacted] injuries were reviewed by experts who refuted Subject Parra's account for [redacted] injuries. It was the opinion of a Family Crimes Bureau expert and a physician with expertise in the field of child abuse that there was clear evidence of numerous strikes to [redacted] buttocks with a belt or strap.

Degree of Culpability

Subject Parra was solely responsible for this incident.

Past Performance and Disciplinary History

Subject Parra has served as a Deputy Sheriff since November of 1997. [redacted]



[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

Determination of Discipline

Based upon the assessment of mitigating and aggravating factors, the following discipline has been determined to be appropriate. This discipline is subject to revision upon receipt of the Subject's response or grievance.

_____ Discharge
_____ Reduction in Rank
_____ Suspension with loss of pay and benefits for _____ day(s)
_____ Written Reprimand
_____ No discipline



County of Los Angeles
Sheriff's Department Headquarters
4700 Ramona Boulevard
Monterey Park, California 91754-2169



LEROY D. BACA, SHERIFF

February 10, 2006

Deputy Marco Parra, [redacted]

Dear Deputy Parra:

You are hereby notified that it is the intention of the Sheriff's Department to suspend you without pay from your position of Deputy Sheriff, Item No. 2708A, with this Department for a period of fifteen (15) days.

An investigation under File Number IAB 2117822, conducted by Industry Station, coupled with your own statements, has established the following:

1. That in violation of Manual of Policy and Procedures Sections 3-01/030.05, General Behavior; and/or 3-01/030.16, Family Violence; and/or 3-01/030.10, Obedience to Laws, Regulations and Orders, on or about April 27, 2004, while off duty, you struck [redacted] inflicting corporal injury as described in Penal Code section 273a (a), resulting in La Habra Police Department initiating a child abuse investigation. By your actions, you have brought discredit upon yourself and the Sheriff's Department.

2. That in violation of Manual of Policy and Procedures Sections 3-01/040.70, False Statements and/or 3-01/040.75, Failure to Make Statements and/or Making False Statements During an Internal Investigation, on or about November 4, 2005, during your subject interview, you made false and/or misleading statements, including but not limited to, that you did not strike [redacted] on April 27, 2004, with anything other than your open hand and/or that you only struck [redacted] three times with an open hand.

Prior to determining this disciplinary action, I have thoroughly reviewed the incident and your record with this Department.

You have the right to grieve this disciplinary action within ten (10) business days of receipt of this letter. Your grievance procedures may be found in your classification's negotiated Memorandum of Understanding.

Failure to respond to this Letter of Intent within ten (10) business days will be considered a waiver of your right to grieve and will result in the imposition of this discipline indicated herein.

You may receive a copy of the material on which the discipline is based by contacting Tajuana Moore of the Internal Affairs Bureau at (323) 890-5311, and arranging an appointment during the ten (10) day period in which you may respond.

The Sheriff's Department reserves the right to amend and/or add to this letter.

Sincerely,

LEROY D. BACA, SHERIFF

Original Signed

Michael W. Smith, Captain
Commander, Industry Station

MWS:KM:tm

c: Advocacy Unit
Employee Relations Unit
Marvin O. Cavanaugh, Chief, Field Operations Region III
Internal Affairs Bureau
Office of Independent Review (OIR)
(File # IAB 2117822)